

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

MANUEL SOTO,

Plaintiff,

v.

No. 20-cv-375-MV-KRS

METROPOLITAN DETENTION
CENTER, *et al.*,

Defendants.

ORDER TO SHOW CAUSE

THIS MATTER is before the Court *sua sponte* on review of the docket.

In an order entered March 25, 2021, the Court granted Plaintiff leave to proceed *in forma pauperis* under 28 U.S.C. § 1915(a) and (b). (Doc. 15) (the “IFP Order”). This reduced the filing fee to \$350.00. (Id. at 1). The IFP Order required Plaintiff to make an initial partial payment of \$33.87 within thirty days. (Id. at 2). Thereafter, he was required to make monthly payments of 20% of the preceding month’s income credited to his account or show cause why the designated payments should be excused. (Id.).

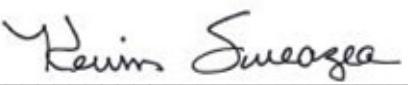
On April 20, 2021, Plaintiff made an initial partial payment of \$60.00. (Doc. 17). On December 3, 2021, Plaintiff submitted an Offender Account Activity statement for the period of October 1, 2021, to November 29, 2021. Pursuant to the IFP Order, based on the deposits reflected on the statement, Plaintiff should have submitted a payment of \$7.20 in November 2021. He did not show cause for his failure to make that payment and he has not shown cause for his failure to make payments in the ten months that followed.

If Plaintiff wishes to pursue his claims in this case, he must abide by the terms of the IFP Order. Failure to do so may cause the Court to dismiss this case without further notice.

IT IS THEREFORE ORDERED that:

- (1) Within thirty days of the entry of this Order, and every month thereafter until the \$290.00 filing fee balance is paid, Plaintiff must send the clerk a partial payment totaling 20% of the preceding month's income credited to his account or show cause why he should be excused from doing so.
- (2) Failure to comply with this order may result in dismissal of the Complaint and closure of this case without further notice.

IT IS SO ORDERED.



KEVIN R. SWEAZEA
UNITED STATES MAGISTRATE JUDGE